

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>In re</i> Application of:)	Confirmation No.: 4521
)	
Erik Leonard Hoffman)	Group Art Unit: 3733
)	
Serial No. 10/037,318)	Examiner: David C. Comstock
)	
Filed: November 7, 2001)	Atty. Dkt. No. 005032.00011
)	

For: **FASTENING ELEMENT FOR AN IMPLANT, IN PARTICULAR A
HIP PROSTHESIS**

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

Mail Stop 16
Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has come to our attention that large entity fees were paid in connection with an Amendment and Response to Final Office Action which was accompanied by an RCE filed June 25, 2008. Applicants claim small entity status, as indicated on the Verified Statement (Declaration) Claiming Small Entity Status filed on February 21, 2001. Please credit the difference in fees as outlined below to our Deposit Account No. 19-0733.

Large Entity Fees Paid

June 25, 2008	3 Month Extension	\$1050.00
	RCE	\$ 810.00
	Total Paid	\$1860.00

Small Entity Fees Required


June 25, 2008	3 Month Extension	\$ 525.00
	RCE	\$ 405.00
	Total Refund Due:	\$ 930.00

Applicants hereby request a refund of \$930.00 to be credited to Deposit
Account No. 19-0733.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: March 2, 2009

By: _____


John P. Iwanicki
Reg. No. 34,628

Customer No. 22910
Banner & Witcoff, Ltd.
28 State Street, 28th Floor
Boston, MA 02109
617-720-9600